

REMARKS

Claims 39-41, 43-45, 47, 49-51, 53-57 and 67-96 stand rejected under 35 U.S.C. § 101 for allegedly claiming non-statutory subject matter. Claims 43-45, 47, 50 and 51 stand provisionally rejected on the ground of statutory type double patenting as being unpatentable over claims 102-106, 108 and 109 of copending U.S. Patent Application No. 10/998,761. Applicants respectfully submit that no new matter is added by the present amendment.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 39-41, 43-45, 47, 49-51, 53-57 and 67-96 stand rejected under 35 U.S.C. § 101 for allegedly claiming non-statutory subject matter. Independent claims 39, 43, 47, 53, 67, 79 and 93 are hereby amended to recite “transforming, by a computer processor, data in a memory according to the query to generate a query result,” thereby rendering independent these claims and all claims depending therefrom as statutory subject matter. Accordingly, Applicants request that the 35 U.S.C. § 101 rejection be withdrawn.

STATUTORY DOUBLE PATENTING REJECTION

Claims 43-45, 47, 50 and 51 stand provisionally rejected on the ground of statutory type double patenting as being unpatentable over claims 102-106, 108 and 109 of copending U.S. Patent Application No. 10/998,761. Claims 43-45, 47 and 50-51 of the present application are method claims, while claims 97-106, 108 and 109 in Application No. 10/998,761 are computer readable medium claims. Thus, at least because these claims recite different claim formats (method vs. computer readable medium) these claims should not be subject to a statutory double patenting rejection. Accordingly, Applicants request that the provisional double patenting rejection be withdrawn.

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PATENT

CONCLUSION

In view of the above amendments and remarks, applicant respectfully submits that the present invention is in condition for allowance. Reconsideration of the application is respectfully requested.

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/Kenneth R. Eiferman/

Kenneth R. Eiferman

Registration No. 51,647

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439